IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

Bail Appl..No. 5396 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.5129/2007 Dated 22/08/2007
(CRIME NO.45/07 OF KAKKUR POLICE STATION.)
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PETITIONERS/ACCUSED 4 AND 3
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1. C.P.KUMARAN,S/O.P.P.KUTTY,
SASARI HOUSE,ERANHIPALAM,
KOZHIKODE DISTRICT.

2. DR.SIVARAMAN,S/O.THANDASSERY KRISHNAN,
THANDASSERI JANAKEEYA SADANAM,
P.O.POVATTUPARAMBU,KOZHIKODE,
PRESIDENT,SNVP ADMINISTRATIVE OFFICE,
KALLAI ROAD,KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE
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1. THE SUB INSPECTOR OF POLICE,
KAKKUR POLICE STATION.

2. STATE,REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5396 of 2007

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Dated this the 7th day of September, 2007

ORDER

Application for anticipatory bail. The petitioners are accused 3 and 4 in a crime registered, inter alia, under Secs.465 and 471 IPC. Accused 1 and 2 were granted anticipatory bail as per order dated 7.8.07 in B.A.No.4669/2007 and 22.8.07 in B.A.No.5129/2007. The allegations relate to creation of false documents in respect of the item of property. I have already adverted to facts in detail in the orders referred above, granting anticipatory bail. This order will have to be read in continuation of the said orders. In these circumstances, it is not necessary for me to advert to facts in any greater detail. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that anticipatory bail can the granted to the petitioners herein also, subject to appropriate conditions.

2. In the result, this petition is allowed. The following directions are issued under sec.438 Cr.P.C, in favour of the petitioners:

i) Petitioners shall surrender before the learned Magistrate having jurisdiction on 14/9/2007.

ii) They shall be released on regular bail on condition that

they execute bonds for Rs.25,000/-(Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 3 p.m on 15/09/2007 and 16/09/2007 and thereafter on all Mondays and Fridays between 10 a.m and 12 noon for a period of three months. Subsequently the petitioners shall so appear as and when directed by the investigating officer in writing to do so.

(iv) If the petitioners do not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioners and deal with them in accordance with law, as if these directions were not issued at all.

(v) If they were arrested prior to 14/9/2007, they shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 14/9/2007.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE